

**August 22, 2005**

**Before The  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**



In the Matter of	)	
	)	
Creation of a Low	)	MB Docket 99-25
Power Radio Service	)	
	)	

To: The Commission

**COMMENTS OF BAYARD H. WALTERS**

Bayard H. Walters, President, Cromwell Radio Group & Affiliates, Cromwell Group, Inc., hereby submits his Comments on the low power FM service in Response to the Commission's *Second Order on Reconsideration and Further Notice of Proposed Rulemaking*, FCC 05-575, released March 17, 2005.<sup>1</sup>

**Overview**

Translators for commercial broadcasters serve to fill in areas where the primary signal tends to be blocked or is not as listenable as it should be within the 60 dBu coverage area. This is done by re-broadcasting the primary signal. Translators and low power FM ("LPFM") stations for non-commercial educational broadcasters tend to rebroadcast signals delivered from outside the primary station's 60-dBu area, either from satellite or the rebroadcast of a distant station. In some cases the LPFM provides local origination. This tends to be true when a licensee is an educational institution, but is less likely when the licensee is a religious organization.

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<sup>1</sup> The deadline date for Comments, as extended in *Order*, DA No. 04-2253 (Released August 3, 2005), is August 22, 2005. Accordingly, these Comments are timely filed.

In principal we support the idea of non-commercial LPFM radio stations, especially as an educational training environment. I first started on 10 watt (now 250 watt) WGRE-FM at DePauw University, Greencastle, Ind. (the first station of its kind started in 1948). It helped me “find a career”. At my encouragement St Andrew-Sewanee School, Sewanee, Tennessee, applied for an LPFM construction permit when the window opened. The CP was granted and the station (WMTN-LP) is now on the air as a great extra-curricular and training activity for students. This is what LPFM should be “at its best”. By contrast, there are LPFM’s that are serving as nothing more than translators for satellite services offered by religious organizations. This is not what LPFM should be.

### **Specific Comments**

Site Relocation. Requests for site relocation as a minor change should be as easy as possible for both the FCC and the Applicant.

Transferability. I believe that LPFM’s should be awarded to organizations that have a long history of existence and expected existence (for example, schools, colleges, churches, government bodies). Thus, they should not be able to transfer or sell these facilities. Changes in board members should be easily permitted.

LPFM-Translator/Co-Equal. For non-commercial educational facilities, LPFM’s and translators seem to fill similar roles (especially when LPFM’s rebroadcast a satellite provider). Since translators have higher power and offer more efficient spectrum use, LPFM should not have a preference. Translators for commercial broadcasters are “fill in” within the primary coverage area. LPFM should not have a preference over

commercial translators in the “primary coverage area” owned by the primary station licensee.

LPFM Protection from Full Power Stations. It is hard to justify protection for an LPFM (or a translator) that is re-broadcasting an outside signal. Full power stations are charged with local service and emergency accountability. Thus, they should have priority.

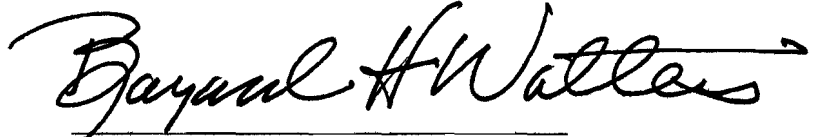
3rd Adjacent Channel Protection. There is no question that on “slide rule analog” radios 3rd adjacent (even 4th or 5th or more) channel interference is unacceptable. Just listen to a small radio in your bathroom or in a local hotel. In contrast, on a digital car or digital home radio, the interference is almost unnoticeable. However, people in cars are not likely to be the major users/listeners of LPFM, as they will quickly be outside the coverage area of an LPFM station. Most home radios are not digital. The primary LPFM users will be “stationary” using low quality analog radios and the interference will be unacceptable to the listener of both the LPFM and the full power FM.

As a practical matter, there are no available 3rd adjacent frequencies in major markets. In smaller markets, there are still plenty of 4th (and higher) adjacent frequencies to satisfy all needs (except of speculators) of those who are truly interested in the attributes of LPFM. There is no need to cause additional spectrum degradation by granting 3rd adjacent channels to LPFM applicants.

### **Conclusion**

I offer these comments as an AM/FM licensee of more than 32 years, who desires to see LPFM flourish as a local educational service, versus a satellite repeater service, where it now appears to be headed.

Respectfully submitted,

A handwritten signature in black ink that reads "Bayard H. Walters". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

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Bayard H. Walters, President  
Cromwell Radio Group & Affiliates  
Cromwell Group, Inc.

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